

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN**

---

In re:

Jeffrey M. Krause  
Tracy L. Krause  
Debtor(s).

Case No. 18-25623  
Chapter 13

---

**NOTICE AND REQUEST TO MODIFY CONFIRMED CHAPTER 13 PLAN  
UNDER 11 U.S.C. §1329(d)**

---

*Jeffrey M. Krause & Tracy L. Krause* filed papers with the Court requesting modification of the confirmed Chapter 13 Plan in the above case under the chapter 13 bankruptcy provisions of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). The CARES Act amended the Bankruptcy Code by adding 11 U.S.C. § 1329(d), which provides, “a plan confirmed prior to March 27, 2020 may be modified upon the request of the debtor if – (A) the debtor is experiencing or has experienced a material financial hardship due, directly or indirectly, to the coronavirus disease 2019 (COVID-19) pandemic.” Qualifying plans modified under §1329(d)(1) “may not provide for payments over a period that expires more than 7 years after the time that the first payment under the original confirmed plan was due.” §1329(d)(2). Section 1329(d) expires on March 27, 2021.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to confirm the modified plan as proposed, or if you want the Court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the Court a written request for hearing that contains a short and plain statement of the factual and legal basis for the objection. File your written request electronically or mail it to:

Clerk of Bankruptcy Court  
517 E. Wisconsin Avenue  
Room 126  
Milwaukee, WI 53202-4581

If you mail your request to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the expiration of 21 days.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the request and may enter an order confirming the modified plan.

*David Pietrek  
1830 W. Mason St., Suite #4  
Green Bay, WI 54303  
Phone No. 920.499.2234  
Email [dmp@mydebtadvisors.com](mailto:dmp@mydebtadvisors.com)*

## REQUEST TO MODIFY CONFIRMED CHAPTER 13 PLAN

1. The person requesting this plan modification is:  
☒ the Debtor;  
☐ the Chapter 13 Trustee;  
☐ the holder of an unsecured claim, Name: \_\_\_\_\_
2. Service: A certificate of service must be filed with this request for plan modification. Designate one of the following:  
☒ A copy of this proposed modification has been served on the parties (the debtor, the trustee, the United States trustee and all creditors) as required by Fed. R. Bank. P. 3015(g); or  
☐ A motion requesting limited service is being filed simultaneously with the Court.
3. I request the following modification of the Chapter 13 Plan last confirmed by the Court:

1. The debtors have experienced the following material financial hardship due, directly, or indirectly, to the COVID-19 pandemic:

Mr. and Mrs. Krause's income has temporarily decreased due to the COVID-19 pandemic.

2. The plan, which the court originally confirmed on August 16, 2018, and later modified on January 29, 2019, is modified as follows:

Section 2.1: The Chapter 13 Plan shall be extended to 78 months due to Mr. and Mrs. Krause experiencing a material financial hardship as a result of the covid-19 pandemic.

An additional \$300 shall be paid to Debt Advisors as an administrative expense.

All remaining terms of the Chapter 13 Plan originally confirmed on August 16, 2018, and later modified on January 29, 2019 are unaffected. In the event of a conflict between the terms of the confirmed Plan and the terms of this modification, the terms of this modification control.

WHEREFORE, the proponent requests that the Court approve this modification to the confirmed Chapter 13 Plan.

### **CERTIFICATION**

Each proponent or the attorney for each proponent must sign this certification. If the proponent is the Debtor, the Debtor's attorney must sign this certification, and the Debtor may, but is not required to sign. If the Debtor does not have an attorney, the Debtor must sign this certification.

**The provisions in this modified Chapter 13 plan are identical to those contained in the official local form other than the changes listed in part 3.**

I certify under penalty of perjury that the foregoing is true and correct.

Respectfully submitted September 28, 2020

/s/ Jeffrey M. Krause  
Jeffrey M. Krause  
Debtor

/s/ Tracy L. Krause  
Tracy L. Krause  
Debtor

/s/ David Pietrek  
*David Pietrek*  
Attorney for proponent  
*Debt Advisors, S.C.*  
*1830 W. Mason St., Suite #4*  
*Green Bay, WI 54303*  
*Phone No. 920.499.2234*  
*Email dmp@mydebtadvisors.com*